

### **REMARKS**

Claims 1-45 are pending in this application. Claims 1-26 and 33-45 are canceled herein without prejudice to the filing of divisional applications. Claims 27 and 32 are amended herein for clarity and to more particularly define the invention. Support for these amendments is found throughout the specification, as set forth below. No new matter is added by these amendments and their entry and examination are respectfully requested. In light of these amendments and the following remarks, applicants respectfully request reconsideration of this application and allowance of the pending claims to issue.

### **Claim Rejections under 35 U.S.C. § 103(a).**

Claims 27-32 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,789,245 (Dubensky et al.) in view of Ohno et al. (*Nat. Biotech.* 15: 763-767 (1997)). Specifically, the Action states that Dubensky teaches an alphavirus vector which encodes and expresses a heterologous nucleic acid sequence as well as methods of using said vector for prophylactic and/or therapeutic purposes. Action, page 3. The Action further states that Dubensky does not teach how to make such a modified alphavirus particle but that Ohno teaches a cell-specific targeted Sindbis virus vector which displays IgG-binding domains of protein A such that the modified Sindbis virus vector can transfect specific cancer cells when used in conjunction with antibodies that bind to the modified Sindbis vector and which also react with cancer cells. Action, page 4.

Claim 27 is amended herein to recite a method of administering a nucleotide sequence to a subject, comprising: (a) administering an alphavirus vector comprising a heterologous nucleotide sequence to a subject; and (b) administering an antibody that specifically binds to the E1 glycoprotein and/or the E2 glycoprotein of the alphavirus vector to the subject; whereby the heterologous nucleotide sequence is introduced into and expressed in the subject. Support for this amendment is found throughout the specification, for example, at least page 11, lines 2-7.

Dubensky et al. fails to teach or suggest a method of administering a nucleotide sequence to a subject, comprising: (a) administering an alphavirus vector comprising a heterologous nucleotide sequence to a subject; and (b) administering an antibody that

specifically binds to the E1 glycoprotein and/or the E2 glycoprotein of the alphavirus vector to the subject; whereby the heterologous nucleotide sequence is introduced into and expressed in the subject. Ohno et al. fails to remedy the deficiencies of Dubnesky et al. Accordingly, applicants respectfully submit that the rejection under 35 U.S.C. 103(a) over Dubensky et al. in view of Ohna et al. is overcome and respectfully request that the rejection be withdrawn.

**Conclusion.**

Having addressed all of the issues raised by the Examiner in the pending Office Action, Applicants respectfully request the withdrawal of the pending rejections and allowance of the pending claims to issue. The Examiner is invited and encouraged to contact the undersigned directly if such contact will expedite the prosecution of this application to allowance.

The Commissioner is authorized to charge Deposit Account No. 50-0220 in the amount of \$450 for a two-month Extension of Time. This amount is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



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